IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6678 OF 2004

Shri Hanumant Bhanudas Kadam] .. Petitioner

Versus

State of Maharashtra] .. Respondent

Mrs. P.U. Badadare i/b Mr. P.R. Arjunwadkar for the petitioner.

Mr. M.H. Solkar, AGP, for respondent.

CORAM: R.M. LODHA, J.

DATED: 21ST JULY, 2006

P.C. :

. Heard Mrs. P.U. Badadare, the counsel for the petitioner.

2. The grievance of the petitioner in this Writ Petition is with regard to the order dated 16th December, 2002 passed by the District Supply Officer, Solapur suspending the Fair Price Shop Licence issued to the petitioner's shop; the order dated 30th May, 2003 passed by the Deputy Commissioner (Supply) Pune Division and the order dated 12th July, 2004 passed by the Minister, Food, Civil Supply and Consumer Protection

upholding the order of the District Supply Officer.

3. On 14th December 2002, a crime was registered against the petitioner under Section 3 & 7 of the Essential Commodities Act, 2005 and under Sections 420, 465, 468, 471 of IPC. Allegedly, the petitioner misappropriated Government grains in large quantities and was blackmarketing the Government grains. In the backdrop of the crime registered on 14th December, 2002, the suspension of the Fair Price Shop Licence granted to the petitioner cannot be faulted. There is no merit in the contention of the counsel for the petitioner that before the order dated 16th December, 2002 came to be passed by District Supply Officer, Solapur suspending Fair Price Shop Licence, an opportunity of hearing ought to have been given to the petitioner. There is no such requirement of law. There are serious allegations of misappropriation and blackmarketing of Government grains against the petitioner.

4. Writ Petition is dismissed in limine.

Sd/-
[R.M. LODHA, J.]